

PATENT

Attorney Docket: TOPP-P2-US

3743
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Daniel P. Topp
TITLE : COMBUSTION SYSTEM FOR A HEATER
APPLN. NO. : 09/852,445
FILING DATE : May 9, 2001
GROUP ART UNIT : 3743

TO: Assistant Commissioner for Patents
Washington, DC 20231

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INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.56, 1.97 and 1.98

Applicant herein makes available to the U.S. Patent and Trademark Office (PTO) by enclosing a copy of Form PTO-1449, and a copy of each of the five (5) documents listed thereon. This Information Disclosure Statement (IDS) is being filed in accordance with the following provision(s):

- ☐ 37 C.F.R. § 1.97(b)(1) Within three months of the filing date of the national application. No fee is required.
- ☐ 37 C.F.R. § 1.97(b)(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in the international application. No fee is required.
- ☒ 37 C.F.R. § 1.97(b)(3) Before the mailing date of a first Office Action on

the merits. No fee is required.

- [] 37 C.F.R. § 1.97(c) After the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of either: (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first.
- [] The undersigned hereby certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- [] The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; or
- [] Enclosed is a check in the amount of \$240.00 for the fee set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. § 1.17, or credit any overpayment, to Deposit Account No. ____-____.
- [] 37 C.F.R. § 1.97(d) After the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee.
- [] The undersigned hereby certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or
- [] The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and

- [] Applicant(s) hereby petition the Commissioner of Patents and Trademarks to consider this information disclosure statement. Enclosed is a check in the amount of \$130.00 for the petition fee set forth in § 1.17(I)(1). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. § 1.17, or credit any overpayment, to Deposit Account No. ____-____.
- [] Pursuant to 37 C.F.R. § 1.98(d), copies of documents that were cited by or previously submitted to the PTO in a prior application are not required to be submitted with the present Information Disclosure Statement. However, should the Examiner request a copy or copies of any of the documents listed on Form PTO-1449, Applicant would be happy to submit them.

This Information Disclosure Statement (IDS) should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists. The submission of these documents is not intended to be deemed an admission that they are, or are considered to be, analogous art or material to patentability as defined in 37 C.F.R. § 1.56(b). Also, by this listing, the Applicant is not making any admission regarding the relative dates of the invention and listed disclosures.

Some of the documents may have markings thereon. No significance is intended to be attached to the markings. Moreover, no representation is made that any brief descriptions of the references herein necessarily describe the most material aspects of the references.

The Examiner is requested to consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 C.F.R. § 1.104(a). It is requested that the documents listed on the attached Form PTO-1449 be included in the "References Cited" portion of any patent

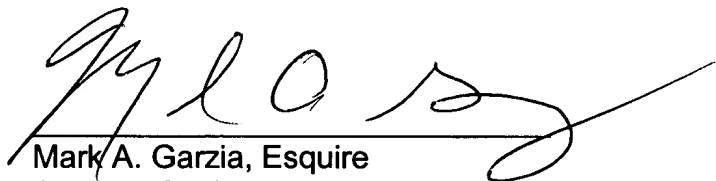
that may issue from this application (M.P.E.P. 1302.12), and that the Examiner initial and return a copy of said form to evidence consideration of the documents.

Finally, enclosed is a self-addressed, postage prepaid postcard for the PTO to place its date stamp and mail back to the undersigned attorney in order to acknowledge receipt of this IDS.

It is believed that this IDS complies with the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98 and the Manual of Patenting Examining Procedures § 609. If for some reason the Examiner deems otherwise, it is requested that the undersigned be contacted by telephone promptly so that any deficiency may be remedied.

Dated: September 25, 2001

Respectfully submitted,



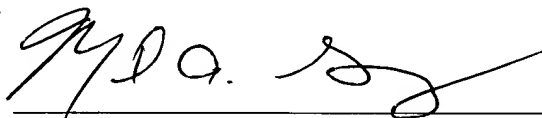
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CERTIFICATE OF MAILING

I hereby certify that this communication, along with any paper or fee indicated as being enclosed, is being deposited with the United States Postal Service as First Class Mail addressed to Assistant Commissioner for Patents, Washington, DC 20231 on the date indicated below.

25 SEPT 2001

Date



Mark A. Garzia